



## U.S. DEPARTMENT of STATE

### Chad

#### Country Reports on Human Rights Practices - [2004](#)

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Chad is a centralized republic dominated by a strong presidency. Despite the country's multiparty system of government, power remains concentrated in the hands of a northern oligarchy composed of the President's Zaghawa ethnic group and its allies, resulting in a culture of impunity for a ruling minority. President Idriss Deby, leader of the Patriotic Salvation Movement (MPS), has ruled since taking power in a 1990 rebellion. He was re-elected President in 2001; however, fraud, widespread vote rigging, and local irregularities marred that election and the 2002 legislative elections. On May 16, members of the Republican Guard and Nomadic Guard--both of which are components of the government security forces--led a failed coup attempt against President Deby. During the year, the security situation in the east grew increasingly tenuous due to a conflict in the Darfur region in Sudan near the country's border, and the Government expressed its concerns over the bandits, Sudanese militias, and growing numbers of rebels that were operating in the east. However, by year's end, the Government and the rebel group Movement for Democracy and Justice in Chad (MDJT) were negotiating an end to the rebellion in the northwest Tibesti region. The Constitution mandates an independent judiciary; however, the judiciary remained ineffective, underfunded, overburdened, vulnerable to acts of violence, and subject to executive interference.

The National Army (ANT), Gendarmerie (a military police force), National Police, Nomadic National Guard (GNNT), and National Security Agency (ANS) are responsible for internal security. The ANT, Gendarmerie, and GNNT report to the Ministry of Defense; the National Police reports to the Ministry of Public Security and Immigration, and the ANS reports to the President. Officers from President Deby's ethnic group and closely allied ethnic groups dominated the ANS and Republican Guard. On September 14, in accordance with a presidential decree, the Republican Guard began reporting to the National Army; previously, it had reported directly to the Presidency. During the year, the ANT and Gendarmerie were deployed to the north to fight MDJT rebels and the international terrorist organization Salafist Group for Call and Combat (GSPC), to the east to maintain security along the border with Sudan, and to the south following the arrival of refugees from the Central African Republic (CAR) in 2003. Civilian authorities did not maintain effective control of the security forces, and there were frequent instances in which elements of the security forces acted independently of government authority. Security forces committed serious human rights abuses.

The economy was based on subsistence agriculture, herding, and fishing, and more than 80 percent of the workforce was involved in these activities, much of which exists outside the formal sector. The country's population was estimated to be 8.9 million. The gross domestic product per capita for the year was \$536, rising in part due to oil revenues and exchange rates. Impediments to sustainable economic growth were corruption, prohibitive electricity costs, and geographic and cultural barriers. The country began exporting oil in July 2003, and the first revenues from oil production were repatriated into bank accounts in the country in June. Most of the revenues were earmarked for priority sectors of the economy, including health, education, agriculture, environment, and infrastructure. The College of Control and Surveillance of Petroleum Resources, composed of members of the Government and civil society, managed oil revenue expenditures. The Government remained heavily dependent on assistance from external donors and international financial institutions for budgetary assistance.

The Government's human rights record remained poor, and the Government continued to commit serious human rights abuses. The Government limited citizens' right to change their government. Security forces committed extrajudicial killings and continued to torture, beat, and rape persons. Prison conditions remained harsh and life threatening. Security forces continued to use arbitrary arrest and detention. The Government rarely prosecuted or punished members of the security forces who committed human rights abuses. Lengthy pretrial detention remained a problem. The Government infringed on privacy rights and limited freedoms of the press and assembly. The Government at times limited freedoms of religion and movement. Corruption was a problem. The Government arrested, detained, and intimidated members of human rights organizations. Violence and societal discrimination against women were common. Despite official governmental opposition to the practice, female genital mutilation (FGM) was widespread. Trafficking in persons was a problem. Both official and societal ethnic and regional discrimination remained widespread. Interethnic conflict resulted in numerous deaths. There also were reports of forced labor, including forced child labor. Child labor was a serious problem.

#### **RESPECT FOR HUMAN RIGHTS**

## Section 1 Respect for the Integrity of the Person, Including Freedom From:

### a. Arbitrary or Unlawful Deprivation of Life

During the year, there were reports of killings that may have been politically motivated, and officially sanctioned extrajudicial killings of suspected criminals by security forces continued. Local human rights organizations estimated that nearly half of human rights abuses committed in the country involved arbitrary or unlawful deprivation of life by security forces. Extrajudicial killings rarely were directed centrally, and they most often occurred outside the capital, where there was less control over security forces. The Government rarely prosecuted or punished members of the security forces who committed killings.

The Government said there were no political killings during the year; however, the Federation of Chadian Unions issued a May 17 communiqué indicating that security forces killed five union members during the May 16 coup attempt. No additional information was available by year's end.

During the year, security forces committed numerous killings during apprehension or in custody. For example, in May, in the northern town of Oum-Hadger, Abdelhamit Mahamat died from injuries received while being tortured in custody at a police camp.

In January, gendarmes killed a prisoner while they escorted him to a hospital in Mayo-Benoye. During the year, gendarmes killed two other prisoners while the prisoners reportedly tried to escape in Chokoyan. By year's end, no one had been held accountable for the deaths of the inmates.

Unlike in the previous year, there were no reports that security forces killed demonstrators.

During the year, the use of excessive force by security forces resulted in numerous killings. For example, in February, the GNNT killed a customs agent on duty at the Cameroon border and threw his body into the Chari river near N'Djamena. No investigation was undertaken during the year.

In February, men in military uniforms attacked a group of traders near Oum-Hadger, located in the east, and reportedly killed an undetermined number of them. Human rights groups alleged that similar attacks regularly occurred near the village of Bassa. By year's end, no investigation had been undertaken.

In March, a police commandant in Guera Batha killed his neighbor during a personal dispute. He was sentenced to 4 years in prison and required to pay the victim's family \$9,200 (4.5 million FCFA francs).

In May, gendarmes killed 2 persons and injured 13 others in Tandjile West after local residents--who reportedly did not believe police efforts to protect them from herders were sufficient--attacked a police station. By year's end, no judicial action had been taken against the gendarmes.

Security forces killed refugees during the year (see Section 2.d.).

Chadian soldiers in CAR reportedly killed CAR citizens during the year.

There were no reports of any action taken against members of the security forces responsible for the following killings in 2003: the March rape and killing of a 13-year-old girl; the July shooting of Hassan Yacine in front of the Presidential Palace; and the August killing of Djimtebaye Osee in Chagoua.

There were no developments in 2002 killings by security forces.

Unlike in the previous year, there were no reports that deaths from military hazing occurred during the year.

Unlike in the previous year, there were no reports that security forces killed suspected rebels or civilians in the northwestern Tibesti region during the year.

Landmines laid by government, foreign, and rebel forces in previous years have caused numerous deaths and injuries during past 2 years. In June, a car hit a landmine near Yarda, near Faya Largeau. Three persons were killed and six wounded.

Three men arrested in connection with the 2002 killing of Dr. Mahamat Guetti, president of the African Democratic Party and former parliamentarian candidate, remained in prison without trial at year's end.

No action was taken in 2002 killings by unknown assailants, and no action was likely to be taken.

Armed bandits continued to operate on many roads, assaulting, robbing, and killing travelers; some bandits were identified as

active duty soldiers or deserters.

For example, on May 7, armed bandits, believed to be soldiers, attacked the home of a prominent cattle herder in Diguel, killing two persons and wounding two others. No investigation was undertaken during the year.

During the year, human rights groups accused regional gendarmes of perpetuating disputes between herders and local residents, one of which resulted in eight killings, eight injured, and eight children missing.

Interethnic fighting resulted in numerous deaths (see Section 5).

Air raids in January and periodic militia attacks throughout the year by the Sudanese Government in western Sudan's Darfur region resulted in several civilian deaths in towns along the country's border with Sudan. For example, on January 29, Sudanese Antonov aircraft reportedly dropped bombs on the border town of Tine in Chad and killed 3 civilians, including a 2-year-old child, and wounded 15 others. In June, a clash between militia (jinjaweed) supported by the Sudanese government and an army patrol near Birak resulted in the deaths of 69 persons, some of whom were unarmed civilians.

#### b. Disappearances

There were reports of politically motivated disappearances during the year. Reports of the disappearances or deaths of participants in the failed coup attempt in May could not be corroborated, and no additional information was available at year's end.

Reports that Ngardibaye Miretanga, an army sergeant and former member of a rebel group, disappeared in April 2003 were false.

Lieutenant Nekemde Daoud, who had disappeared after the ANS arrested him in April 2003, was released during 2003.

#### c. Torture, and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution specifically prohibits such practices; however, members of the security forces tortured, beat, abused, and raped citizens. Impunity for those who committed human rights abuses remained widespread.

In February, soldiers from the 7th Regiment burned the arms and genitals of two persons accused of being jinjaweed militia members. The accused persons were released after paying the equivalent of \$330 (164,000 FCFA) to the regiment's commanding officer.

Unlike in the previous year, there were no reports that soldiers in the Chagoua district of N'Djamena beat or raped local residents; however, soldiers and other members of the security forces continued to harass Chagoua residents. By year's end, no action had been taken against the soldiers for committing such abuses in 2003.

During the year, the local press reported that members of the security forces regularly threatened and beat officials of the local power and water utility when their services were cut or reduced during shortages.

Security forces beat a journalist and a member of a nongovernmental organization (NGO) during the year (see Sections 2.a. and 4).

There were no developments in the following 2003 cases of torture and beatings: The January torture of Kirben Amon and rape of his wife by soldiers; the April beatings of a civilian by a regional military commander; the May torture of a man in N'Djamena; or the torture of electrical company workers by soldiers.

In June, soldiers fired on herders in Kanem and seriously injured two persons; the soldiers, who encountered the herders during a regular patrol, reportedly believed the herders were criminals. By year's end, no action had been taken against the perpetrators.

During the year, police continued to rape women in custody.

There were no developments in the March 2003 rapes of two girls by soldiers. The trial of the local gendarmerie brigade commander charged with committing rape in 2002 was ongoing at year's end.

Unlike in the previous year, there were no reports of military hazing incidents during the year.

FGM continued to be a problem (see Section 5).

Prison conditions remained harsh and life threatening. Prisons were seriously overcrowded and had poor sanitation, as well as inadequate food, shelter, and medical facilities. After spending 2 months in prison in 2003, the chief editor of the independent newspaper Notre Temps reported that there were only 40 cells for approximately 1,200 prisoners at N'Djamena's central prison, which was built during the colonial period to hold only 300 prisoners. In May, human rights groups visited the prison at Barh Sara and reported that 36 adults in detention lacked food.

Local human rights organizations continued to report on the unconfirmed existence of military prisons and prisons run by the immigration service, to which access was prohibited. It was unknown who was detained in these prisons and for what reasons they were held. In Kerfi, gendarmes created a prison and jailed herders without charge.

The law provides that a doctor must visit each prison three times a week; however, there were credible reports that this provision was not respected. The chief editor of Notre Temps reported in 2003 that the central prison had no health care facilities and that only one drug was used to treat all medical problems. During his imprisonment in 2003, he witnessed the death of a sick prisoner after authorities refused to send the prisoner to a hospital.

Although the law authorized forced labor in prison, human rights organizations reported that it did not generally occur in practice.

Female prisoners usually were separated from adult males. Following a successful campaign by UNICEF to have juvenile males separated from adult male prisoners, juvenile males were held with female prisoners. Pretrial detainees were held with the general prison population.

The Government permitted the International Committee of the Red Cross (ICRC) to visit most civil prisons, although the Government insisted on advance notice; the ICRC conducted such visits during the year. In June 2003, the Government provided the Chadian Association for the Promotion of Human Rights (ATPDH) with a permanent authorization notice to visit civil prisons at any time, without advance notice. Other NGOs, including human rights groups, were required to obtain their own authorization from a court or from the Director of Prisons; such authorizations depended largely on the personal inclinations of those granting permission. Organizations were not allowed access to military prisons.

#### d. Arbitrary Arrest or Detention

The Constitution and the Penal Code prohibit arbitrary arrest; however, security forces continued to use arbitrary arrest and detention.

The police force was centrally controlled, but exercising oversight, particularly outside of N'Djamena, was difficult. There was general impunity for police officials who committed human rights abuses. In June, government officials publicly acknowledged the country's growing security problems, which resulted in part from the inability of the national and local police to counter widespread banditry, particularly outside of N'Djamena, and the proliferation of arms resulting from a succession of civil wars. The Government often allowed months to pass before it paid members of police, and corruption was widespread. In July, armed bandits with inside information about the payment of civil servant salaries killed two officials of the Ministry of Territorial Administration escorting the payroll for ministry employees in N'Djamena. By year's end, the perpetrators had been arrested and were awaiting trial.

A judicial official is required to sign arrest warrants; however, the Government often did not respect this requirement. The law requires both a bail system and access to counsel, but neither provision was regularly enforced. Few detainees had the means to pay for private counsel, and incommunicado detention was a problem.

Arbitrary arrest and detention was a problem. In Kerfi, there were reports that gendarmes arbitrarily arrested herders and placed them in unauthorized prisons.

In May, a gendarme arrested and beat a man in Mayo Dalla after the wife of the gendarme reportedly told her husband she had dreamed about the man. The gendarme and his colleagues also robbed the man of \$110 (55,600 FCFA). By year's end, there were no reports that action had been taken against the gendarmes.

During the year, gendarmes in the northern town of Kerfi reportedly arrested herders and arbitrarily detained them without formal charges in a private prison they had created. At least two of the herders were accused of illegally possessing weapons. At year's end, it was not known if the herders had been released, and no additional information was available.

Security forces continued to conduct searches, most notably in the Kelo region, following the 2003 robbery of the CotonTchad plant in Pala. Security forces increased security operations along the eastern border with Sudan. In addition, security forces in N'Djamena conducted weapons searches throughout the year.

Police at times arrested journalists and NGO officials who criticized the Government (see Sections 2.a. and 4).

Lengthy pretrial detention remained a problem. Persons accused of crimes could be imprisoned for several years before being charged or tried, especially those arrested for felonies in the provinces, who then were transferred to the overcrowded prison in

N'Djamena. Human rights groups reported that over 800 prisoners in the Central Prison were still awaiting judgment by year's end.

e. Denial of a Fair Public Trial

The Constitution provides for an independent judiciary; however, the judiciary was ineffective, underfunded, overburdened, vulnerable to acts of violence, and subject to executive interference. In practice, government officials and other influential persons often enjoyed immunity from judicial sanction. According to credible reports, many citizens believed that members of the military, in which the President's Zaghawa ethnic group figured prominently, continued to enjoy a particularly high degree of immunity from prosecution.

During the year, members of the judiciary regularly received death threats. On October 5, Daynguirim Etienne, a magistrate in Abeche, was killed in his office at the Palace of Justice. By year's end, the assailant was in custody and the motive was unknown. Three other judges have been killed over the past 3 years.

At the national level, a Supreme Court, Constitutional Court, and Court of Appeals exist; however, some of their members were appointed by the Government and not elected by citizens as required by the law, which weakened the independence of the courts. The constitutionally mandated High Court of Justice could try high-ranking government officials; only the National Assembly, which had taken no action on cases by year's end, could forward cases to this court.

The remainder of the judicial system operated through courts located in provincial capitals. The N'Djamena Court of Appeals was supposed to conduct regular sessions in the provinces, but funding limitations did not permit the court to make circuit visits.

The Constitution mandates a Superior Council of Magistrates to recommend judicial nominations and sanction judges who commit improprieties. The Superior Council handled several cases in the past few years. For example, in July 2003, after receiving a complaint by a human rights NGO about a warrant being issued for the wrong person, the Superior Council suspended for 6 months the Attorney General of Moundou. During the year, the Superior Council dismissed Attorney General of Mongo after counterfeit money, which was evidence in a case, disappeared while in his office's custody.

Similar in function to the Superior Council, a new five-judge Judicial Oversight Commission began conducting investigations of judicial decisions and addressing suspected infractions during the year. However, in contrast to the Superior Council, the President appointed members of the Commission, which increased executive control over the judiciary and decreased the authority of the Superior Council. Parties to judicial cases could appeal to the Commission.

Applicable law was sometimes confusing, as courts often tended to blend the formal French-derived legal code with traditional practices, and customary law continued to overrule Napoleonic law in practice. Residents of rural areas often lacked effective access to formal judicial institutions, and legal reference texts were not available outside the capital. In most civil cases, the population relied on traditional courts presided over by village chiefs, canton chiefs, or sultans. Decisions could be appealed to a formal court.

Under the law, defendants are presumed innocent until proven guilty, but in practice many judges assumed guilt, particularly in crimes involving rape or theft. Cases are heard as public trials, and defendants have the right to appeal any decision. Defendants, their lawyers, and judges are permitted by law to question witnesses.

The Muslim concept of *dia*, which involves a payment to the family of a murder victim or victim of a crime based on the decision of local leaders, was widely practiced in the northern Muslim areas of the country. Non-Muslim groups, who supported implementation of a civil code, challenged the use of the *dia* system, arguing that it was incompatible with the Constitution. Such groups further accused the Government of supporting *dia* practices by permitting the existence of local tribunals. No resolution was reached by year's end.

The Government and human rights organizations reported that there were no political prisoners during the year. However, the whereabouts of some individuals arrested on suspicion of subversive activities against the Government were unknown at year's end. There were reports of several military and immigration prisons, but human rights or other organizations were denied access.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions; however, authorities used illegal searches and wiretaps and monitored the contents of private mail. The Penal Code requires authorities to conduct searches of homes only during daylight hours and with a legal warrant; however, in practice, security forces ignored these provisions and conducted unlawful searches at any time. Security forces also stopped citizens regularly, extorting money or confiscating belongings.

The Government engaged in wiretapping without judicial authorization, monitored the contents of private mail through the postal service, and monitored private e-mail through the main post office server.

During the May coup attempt and in September, the Government ordered cellular phone networks to cease operations while government forces searched private homes for weapons. The ANS requested that cellular operators provide information on the cellular lines of suspected coup plotters. International organizations and human rights groups protested government interference with telephone communications; however, the Government argued that the interference was necessary for reasons of "national security."

In November, military and police officials began searching for and confiscating Thuraya satellite telephones, including those from NGOs, humanitarian agencies, and diplomatic vehicles.

There were occasions that police officers arrested family members of suspects. In February, police officers attacked Koulamadji Koutouloum, arrested him, and stole his proceeds from selling cotton. His children were also arrested; they were forced to pay \$100 (49,700 FCFA) to the gendarmes to be released.

During the year, particularly between October and December, there were reports that members of the gendarmes, police, and army engaged in banditry or robbery. For example, on October 22, the Ministry of Defense's bodyguards arrested armed bandits who were members of the army. At year's end, they were awaiting trial.

There were no new developments in the 2003 or 2002 cases of arbitrary interference with privacy, families, or homes by government agents.

## Section 2 Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and in practice, the Government generally respected freedom of speech; however, it limited freedom of the press. The Government did not restrict academic freedom.

During the year, individuals could criticize the Government publicly without reprisal; however, there were reports that the Government attempted to impede criticism by monitoring meetings of the political opposition, and there were a few reports that the Government attempted to intimidate its critics.

The Government owned the newspaper Info Tchad and influenced another, Le Progres, but it did not dominate the press. A number of private newspapers, many of which were extremely critical of government policies and leaders, were published and circulated freely in the capital.

Due to widespread illiteracy and the relatively high cost of newspapers and television, radio remained the most important medium of mass communication and information. The Government-owned Radiodiffusion Nationale Tchadienne had branches in N'Djamena, Abeche, Moundou, Sahr, and Taya. There were numerous private radio stations, including several owned by religious organizations, that broadcast throughout the country.

The licensing fee set by the High Council on Communication (HCC) for a commercial radio station remained prohibitively high at approximately \$10,000 (4,972,000 FCFA) per year, 10 times the fee for radio stations owned by nonprofit NGOs. Stations run by nonprofit groups were subject to close official scrutiny.

The Government owned and operated the only domestic television station, Teletchad. Demand for private television was limited by poor electrical service and economic conditions, such as the lack of a sizeable audience with the required purchasing power. There was one privately owned satellite television company that distributed a package of French-language and English-language channels. Arabic programming was also available via satellite. The Government did not interfere with these channels.

The Government harassed and detained journalists during the year. For example, on February 9, the gendarmerie arrested and beat Tchanguis Vatankhah, the managing director of private radio station Brakos Moissala, and shut down the station after it broadcast an interview with an opposition politician. Vatankhah was released after 48 hours, and Brakos Moissala reopened on February 10. Under the law, only the HCC has the authority to close a radio station. The HCC advocated on behalf of Vatankhah and the radio station.

In July, three reporters--Mbainaye Betoubam, Abdelkerim Nassour, and Hassan Boukar--from IYAL TCHAD newspaper, a foreign-owned internet news service, alleged that security forces abused them while they were detained for 3 days for illegally selling an unregistered newspaper. The Government reported that it only detained one journalist, which it held for 1 day, and denied allegations of abuse.

In October, the Government arrested and questioned Michael Didama, the chief editor of Le Temps, an opposition newspaper, over an article that criticized the President. The case had not been heard by year's end.

Some journalists in the rural provinces reported that government officials warned them that democracy was for N'Djamena, not

the regions, meaning that journalists should temper any contentious political reporting. In addition, some domestic journalists claimed that the Government restricted their ability to cover some events or visit certain locations and limited their access to high-ranking officials, restrictions that the Government did not impose on foreign journalists.

In May, security forces sought Oulatar Begoto, director of publication for a bi-weekly newspaper, N'Djamena Hebdo, after he reported that the alleged coup plotters included allies of President Deby. By year's end, he had not been arrested or detained and had not gone into hiding.

The Government placed limits on radio broadcasting. In May, the HCC warned Radio FM Liberte, which was run by human rights organizations, that their repeated broadcasts of communiqués calling for a general strike to protest the revision of the Constitution constituted "political advertising."

In July, the HCC warned Radio FM Liberte after it broadcast an interview with a musician and artist who criticized African regimes for attempting to remain in power. Unknown persons calling themselves the "squad of death" threatened FM Liberte employees, and as a result, one FM Liberte journalist went into self-exile after this incident.

Government-owned and controlled media were headed by government-selected news directors and subject to government pressure that resulted in informal censorship; however, at times they were critical of the Government.

During the year, there was an increase in the number of reports that the Government threatened journalists with legal retaliation for publishing unfavorable material, such as accusations of corruption committed by government officials. Libel law was used to suppress criticism of political leaders, and during the year, the Government arrested several journalists for libel. If compensation was provided to the plaintiff, violators could face 1 year's imprisonment or a suspended sentence of 1 year with a fine.

The Government did not restrict access to the Internet.

In November, a private high school closed for a week following a confrontation between a teacher and three of President Deby's children, which escalated when the children were taken to the principal's office and expelled. The children called the Presidency, and members of the ANS and the Republican Guard arrived at the school to take the teacher into custody. The teacher fled into hiding. The school's leadership temporarily closed the school for fear of retaliation against the teacher and others; however, by year's end, there were no reports that the teacher had been arrested or detained.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, the Government limited this right in practice. The law requires organizers of public demonstrations to notify local authorities 5 days in advance of the demonstration. Authorities banned demonstrations critical of the Government despite being notified in advance as required by law; however, they permitted demonstrations in support of the Government and its policies.

In May, police attacked students demonstrating peacefully in front of the administrative building at the University of N'Djamena. The students were protesting the Government's attempt to annul the election of student union leaders. Excessive force and tear gas were used to disperse the students. Subsequently, the Minister of Territorial Administration issued an order banning all activities of the Union of Chadian Students. Throughout the year, the police regularly disrupted non-union student gatherings.

In May, the Government disrupted a peaceful demonstration by human rights groups to protest the revision of the Constitution. In November, the Government denied a request by political parties to demonstrate in N'Djamena against a public referendum proposing the elimination of presidential term limits.

There were no developments in the 2003 cases of abuse resulting from the use of excessive force by security forces.

The Constitution provides for freedom of association, and the Government generally respected this right in practice.

#### c. Freedom of Religion

The Constitution provides for religious freedom; however, at times, the Government limited this right. The Constitution also provides for a secular state; however, senior government officials were predominantly Muslim, and some policies favored Islam in practice. For example, the Government sponsored annual Hajj trips to Mecca for certain government officials.

The Government required religious groups to register; however, there were no specific legal penalties for failure to register, and there were no reports that any group had failed to apply for registration or that the registration process was unduly burdensome.

The Islamic religious group Faid al-Djaria remained banned at year's end on the grounds that its religious customs, including the singing and dancing of men and women together in religious ceremonies, were un-Islamic.

Although the different religious communities generally coexisted without problems, there were reports of occasional tension between Christians and Muslims. In November, a market dispute in Bebedja erupted between Muslims and Christians and resulted in 12 deaths, 21 persons injured, and a significant proportion of the town burned. Police arrested 18 persons. By year's end, some of those arrested were released, and those who were charged remained in detention awaiting trial. Several local officials, including the mayor of Bebedja, were dismissed for their role in the incident.

For a more detailed discussion, see the [2004 International Religious Freedom Report](#).

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government imposed some limits in practice. The Government did not require special permission for travel in areas that it effectively controlled; however, in July, the Ministry of Territorial Administration began requiring an "authorization for circulation" for foreign travelers intending to visit the east, including humanitarian agency personnel, due to growing insecurity in the region. The travel permits were not restrictive but did require travelers to allow between 3 and 5 days to obtain the permit. Authorities also required foreigners to register with immigration upon arrival to Abeche. Elements of the security forces, rebels, and bandits continued to maintain roadblocks throughout the country, extorting money from travelers and often beating them. The Government did not officially condone such behavior by its security forces; however, it did not effectively discourage the practice. In addition, armed bandits operated on many roads, assaulting, robbing, and killing travelers; some bandits were identified as active duty soldiers or deserters.

Security forces regularly harassed travelers on roadways. In October, security forces stopped and harassed the President of the National Assembly at a checkpoint as he traveled east of N'Djamena, despite the fact that his car had official government plates.

By year's end, there was no investigation or disciplinary action regarding the May 2003 assault by security forces of an expatriate businessman.

Tension along the border with CAR continued to hinder free movement in the region. Bandits from CAR continued to enter the country and commit attacks on citizens during the year, despite an agreement by government officials of both countries to stem insecurity along the border and seize weapons held illegally by individuals, militias, and herders.

The law prohibits forced exile, and the Government did not use it.

The Constitution does not provide for the granting of asylum or refugee status and consequently is not in accordance with the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, but the Government has established a system for providing protection to refugees. In practice, the Government provided protection against refoulement, the return of persons to a country where they feared persecution, and granted refugee status or asylum. The Government also provided protection to certain individuals who may not qualify as refugees under the 1951 U.N. Convention or its 1967 Protocol. An official national structure, the National Committee for Welcoming and Reinsertion of Refugees, handled domestic and foreign refugee affairs.

The Government cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers. By year's end, the UNHCR and the Government were working together to identify new sites for refugee camps located in close proximity to the Sudanese border and the conflict in the Darfur region of western Sudan. At year's end, according to the UNHCR, the country hosted approximately 200,000 Sudanese refugees from Darfur, who were located in 11 camps along the eastern border with Sudan. There were also approximately 30,000 refugees from CAR and small numbers of refugees from the Democratic Republic of the Congo. During the year, the Government informally granted refugee and asylum status to persons from Sudan, CAR, and the Republic of the Congo and allowed them to remain in the country for resettlement.

In July, gendarmes killed two refugees in an attempt to restore order and searched for weapons at Farchana and Bredjing refugee camps, where refugees had attacked humanitarian workers. The Government also arrested 16 refugees whom it said were fomenting dissent among the other refugees. By year's end, all 16 had been released.

By year's end, there was no additional information on 2003 reports that soldiers in the southern border town of Gore harassed, beat, and stole from refugees fleeing CAR.

There was no reported action in the 2002 case of gendarmes who kidnapped and detained refugee Bienvenu Ngala Mambweni and approximately 100 other persons, all of whom were either voluntarily repatriated or otherwise resettled.

There were no reports of abuses committed against refugees by rebels or jinjaweed from Sudan; however, in a bombing raid by the government of Sudan on Tine, Sudan, residents of Tine, Chad were killed.

Anti-refugee sentiment among the citizens living in refugee-affected areas of the country was high due to pressure on local resources--such wood, water, and grazing land for animals--and the provision of goods and services for refugees that were not available to the local population. During the year, there were reports that citizens attacked refugees and destroyed their wells out of frustration and fear of resource shortages. During the year, the UNHCR and its partner organizations expressed concern



about the possibility of the militarization of the refugee camps, particularly one located on the border. As a result, between August and year's end, gendarmes were deployed at the camps to protect the refugees from outside influences.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully; however, the Government continued to limit this right in practice. A prime minister, who was nominated by the President and confirmed by the National Assembly, headed the Government. In June 2003, President Deby nominated his nephew, Moussa Faki Mahamat, as Prime Minister. Despite protests from southern opposition leaders, Mahamat's nomination was approved by the National Assembly and reversed a 25-year trend of naming a southern Christian as Prime Minister. A new cabinet of 30 members, including the Prime Minister, was appointed by the President on July 28. The executive branch dominated all other branches.

The 2002 legislative election, in which President Deby's MPS party won a majority of National Assembly seats, was largely determined in advance and resulted in inaccurate registered voter lists, due primarily to a faulty electoral census that the Government refused to revise. In addition, the MPS, running allied with another party in some districts, was the only political party to have a candidate in every district. Local NGOs reported numerous voting irregularities.

According to several observers, President Deby's first-round victory in the 2001 presidential election was marred by irregularities. While monitoring the voting process, unofficial observers from local human rights and civil society groups were assaulted in polling stations. In addition, prior to and following the presidential election, several cases of abuses against opposition supporters and candidates took place, and the Government restricted media coverage.

There were an estimated 70 political parties in the country. Parties allied with the regime generally received favorable treatment. Opposition political leaders have accused the Government of co-opting their most popular local politicians to run as MPS members in local elections and also alleged intimidation by the military against those party members who refused. In May, a former Deby ally alleged that the Government attempted to remove him from an opposition party's leadership. Northerners, particularly members of the Zaghawa ethnic group, including the Bideyat subclan to which the President belongs, continued to dominate the public sector and were over-represented in key posts of key institutions of state power, including the military officer corps, elite military units, and the presidential staff.

On May 16, members of the Republican and Nomadic Guards failed in their attempt to assassinate President Deby. In the days following the attempt, the Government set up checkpoints, conducted search operations, and disrupted the cellular telephone networks as suspected coup plotters were rounded up (see Section 1. f.). There were unconfirmed reports of casualties, although the number of casualties was unknown. After the coup attempt, several top military and security officials were replaced. No information was available on any prosecution or punitive actions that may have been taken against the alleged coup plotters.

On May 26, the National Assembly voted to recommend for national referendum several constitutional amendments, which included the removal of term limits for the office of President and the abolishment of the (nonexistent) Senate. Opposition members said the National Assembly President did not give them an opportunity to discuss the issues prior to the National Assembly's vote, and 17 opposition parties organized a national strike in protest of the vote. By year's end, the date of the referendum had not been set.

In August, the Government announced the composition of the National Independent Electoral Commission (CENI) and the National Elections Monitoring Commission (CNRE). On October 27, the National Assembly passed a law modifying CENI's composition, despite a boycott of the vote by opposition parties, which alleged a lack of transparency in arranging a national referendum in 2005 on constitutional amendments. Members of the Government, members of the political parties holding seats in the National Assembly, and parties without seats in the legislature composed the 31-member CENI. By year's end, the Government and ruling party controlled 24 seats in the CENI, and the most prominent opposition parties were not represented on the CENI or the CNRE. Some political parties refused to participate in the CENI in an effort to protest the referendum, scheduled for 2005, on constitutional amendments.

The Government remained highly centralized. The national Government appointed all subnational government officials, who often relied on the central Government for funds and for administrative personnel.

During the year, the Government continued its constitutionally mandated decentralization process. Many opposition political parties objected to the Government's decentralization plan, which resulted in the redesignation of 14 prefectures as 18 regions, all headed by presidentially appointed governors, instead of prefects. Prefects retained their titles but administered smaller departments within the regions.

Corruption continued to be a serious problem. At the beginning of the year, some officers in the security forces continued to collect government payments for several thousand "phantom soldiers," or nonexistent subordinates. During the first half of the year, the President attempted to curb pay fraud in the security forces and accurately determine the size of the security forces.

In May, a senior member of a committee established under a World Bank plan to prevent corruption in the country's oil revenue management criticized the Government and a foreign oil company for depriving the committee of information from the Ministry of Finance and the necessary resources to be effective in fostering transparency. Beginning in June, the Ministry of Finance, the

World Bank, and the foreign oil company launched several public awareness campaigns and educational efforts for the members of the College, the National Assembly, and the public to explain how the revenue management system worked.

In July, the President created a new ministry and named a new minister to fight corruption in the Government. The Government also took steps to reduce corruption concerning customs and tax fraud.

In July, the Government created a new ministerial post to uphold government ethics. The newly created ministry is tasked with identifying and eliminating corruption within the Government. By year's end, the ministry had drafted government policy on fighting corruption and had begun training the ministry's staff.

The law does not provide for public access to government information; in practice, the Government provided access to government-employed journalists, but independent media journalists complained that they did not have sufficient access to government information during the year. The Government's low capacity to retrieve and store information was a problem; however, the Government mandates that the proceedings of some ministerial meetings be broadcast on the radio or published in Info Tchad, a government newspaper.

Few women held senior leadership positions: There were 10 women in the 125-seat National Assembly and 3 women of cabinet rank. One member of the CENI was a woman.

The Government was dominated by the Zaghawa, a minority ethnic group.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government obstructed the work of human rights organizations during the year through arrest, detention, and intimidation; however, such groups were able to investigate and publish their findings on human rights cases. Government officials generally were accessible to human rights advocates but unresponsive or hostile to their findings.

There were three primary local human rights organizations: The ATPDH, The Association for the Promotion of Fundamental Liberties in Chad, and the Chadian League for Human Rights (LTDH). These and smaller human rights organizations worked closely together through an umbrella organization, the Association of Human Rights, and their work included observing government detention practices, assisting individuals who have suffered human rights abuses, and holding public conferences and seminars.

Despite pressure from the Government, human rights groups were outspoken and often partisan in publicizing the abuses through reports, press releases, and the print media, but only occasionally were they able to intervene successfully with authorities. Most local human rights groups were composed of political opponents of the Government, which weakened their credibility with the Government and some international organizations.

In February, police arrested Bandala Tchatcho Pierre, president of the Kelo branch of the LTDH, and detained him for 24 hours after he had reported on the alleged use of police brutality during tax collection.

In April, the Chief Commandant of the Gendarmerie arrested and beat Mahamat Fadoul Aljazouli, who worked in the Ministry of Education and was in charge of the LTDH in Batha/Guera. By year's end, Aljazouli had been released and no action had been taken against the commander.

In April, a traditional leader in Lere ordered the arrest of Daniel Deuzoumbe Passalet, the president of Human Rights without Borders, a local NGO, for publishing a communiqué protesting the abuse of human rights in the region. By year's end, Passalet had been released.

During the year, the Government restricted international human rights organizations, although the Government began to permit more investigative activity. In 2003, after several years of being prohibited from working in the country, Amnesty International assigned a representative to N'Djamena to examine human rights abuses in the country and work with human rights organizations. In addition, personnel from international human rights organizations traveled regularly through the country to investigate atrocities in Sudan.

The Government allowed unhindered access to a joint team composed of foreign government officials and NGO personnel to conduct interviews of Sudanese refugees in the country to determine whether genocide was being committed in Darfur, Sudan.

Belgian courts continued their investigation of crimes against humanity committed by Habre during his rule from 1982 until 1990. At year's end, Habre was living abroad, and Belgian courts, along with human rights organizations, were trying to extradite him for trial in Belgium. No additional legal action was taken against Habre during the year.

#### Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The Constitution provides for equal rights for all citizens, regardless of origin, race, religion, political opinion, or social status; however, these rights were not always enforced. In practice, cultural traditions maintained women in a status subordinate to men, and the Government favored its ethnic supporters and allies. Societal discrimination continued to be practiced against homosexuals, those afflicted with HIV/AIDS, and members of ethnic groups.

## Women

Domestic violence against women was common, although statistics were unavailable. By tradition, wives were subject to the authority of their husbands, and they had limited legal recourse against abuse. Family or traditional authorities could act in such cases; however, police rarely intervened. The law prohibited rape, prostitution, and spousal abuse, but not sexual harassment; however, all were problems.

There were reports that family members killed women for breaking social customs.

The law prohibits violence against women, including the practice of FGM; however, in practice FGM was widespread and deeply rooted in tradition. A 2002 U.N.-NGO study estimated that approximately 60 percent of all women in the country had undergone FGM. The practice was especially prevalent among ethnic groups in the east and south, where it was introduced from Sudan. All three types of FGM were practiced. The least common but most dangerous and severe form of FGM, infibulation, was confined largely to the region on the eastern border with Sudan. FGM usually was performed prior to puberty as a rite of passage.

Under the law, FGM is prosecutable as a form of assault, and charges can be brought against the parents of FGM victims, medical practitioners, or others involved in the action; however, no such suits were brought during the year. The Ministry of Social Action and the Family was responsible for coordinating activities to combat FGM.

The law prohibits prostitution, pimping, and owning a brothel, and prostitution was a problem, particularly in the southern oil-producing region. During the year, the Penal Code was revised to establish new punishments for the prostitution of a minor; the revised code provides for prison terms of between 2 months and 2 years and a fine of between \$99 and \$985 (50,000 FCFA and 500,000 FCFA).

Discrimination against women remained widespread. In practice, women did not have equal opportunities for education and training, making it difficult for them to compete for the few formal sector jobs. Property and inheritance laws based on the French code do not discriminate against women; however, most inheritance cases were adjudicated by local leaders, with traditional practice favoring men. The exploitation of women was pervasive, especially in rural areas, where women did most of the agricultural labor and were discouraged from formal schooling. Illiteracy was estimated at 66 percent for women, compared with 48 percent for men.

There is no law on polygyny; however, spouses may opt to declare a marriage monogamous. If a monogamous relationship is violated, the wife has the right to request that the marriage be dissolved; however, she must repay the bride price and other expenses related to the marriage. Polygyny has become a controversial issue between Muslim and Christian communities during the revision of the Family Code. The Code's revision was awaiting a determination from the Government.

## Children

The Government generally supported the activities of NGOs and international donors to improve children's rights and welfare, but the Government had few resources to organize its own activities. Although the Government continued to modestly increase its assistance to the education sector, it was unable to adequately fund public education and medical care. Government education policy for children and youth focused on increasing classroom facilities and infrastructure.

Although the Constitution does not specify until which age, it does provide for compulsory education; however, the Government did not enforce this provision. The Constitution also provides for free education; however, parents complained that they must pay tuition to public schools. Approximately half of the teachers in the country were hired and paid by parent-teacher associations without government reimbursement.

According to UNICEF, 46 percent of boys and 33 percent of girls attended primary school. Educational opportunities for girls were limited, mainly because of the traditional role of young girls in household tasks such as the search for water and wood. The percentage of girls enrolled in secondary school was extremely low compared with that of boys, primarily because of early marriage.

Child abuse, including abuse of child herders, remained a problem.

The law considers any citizen under the age of 18 years a minor. Sexual relations before the age of 13 years, even with consent, are considered to be rape, and the prescribed sentence is hard labor for life. The legal age of consent is 14. Although the law prohibits sexual relations with a girl under the age of 14, even if married, this law rarely was enforced. Families arranged marriages for girls as young as 12 or 13 years of age; the minimum legal age for engagements was 11 years of age. During the year, the Penal Code was revised to outlaw forced marriages of minors and provides for penalties of 6 months to 2 years of

imprisonment and a fine of between \$99 and \$985 (50,000 FCFA and 500,000 FCFA). There were some forced marriages, and the custom of buying and selling child brides continued to be a problem. Many young wives were forced to work long hours of physical labor for their husbands in fields or homes.

FGM was commonly practiced on young girls (see Section 5).

Several human rights organizations reported on the problem of the "mahadjir" children. These children, who attended certain Islamic schools, were forced by their teachers to beg for food and money. There were no reliable estimates as to the number of mahadjir children. In May, the Ministry of Social Action and Family, an NGO, and international organizations held a conference to raise public awareness of mahadjir children and discuss appropriate interventions to help them.

Trafficking in children was a problem (see Section 5, Trafficking).

The use of child soldiers is prohibited by law, and according to UNICEF protection officers, the use of child soldiers was not widespread. Although reliable information about the use of child soldiers was difficult to obtain, UNICEF estimated in 2003 that there were approximately 600 child soldiers reportedly serving in government security forces and armed groups in the country; however, the number of child soldiers was believed to have decreased during the year, and no further recruitment of children for use as soldiers was reported.

Child labor remained a serious problem (see Section 6.d.).

In 2002, UNICEF estimated that there were approximately 10,000 street children, and in April 2003, the newspaper *Le Temps* reported that the number was increasing. Children were on the streets because either one or both parents had died, or because parents simply did not take care of them.

In collaboration with UNICEF, the Ministry of Social Affairs conducted several surveys during the year to identify vulnerable children. As a result, the Government and NGOs were developing protection measures--such as temporary shelters to assist victims of exploitation--for street children; minors in detention; HIV/AIDS orphans; sexually abused, sexually exploited, and trafficked children; and children in armed conflict.

During the year, there were several programs to help children, including efforts to curb the widespread use of child herders in the south of the country. In urban areas, UNICEF and other NGOs worked to educate homeless children and reintegrate them into their families or other social support networks. The Government established a Children's Parliament during the year to advocate children's rights and carry out public awareness campaigns.

#### Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports of trafficking within the country. Children were trafficked for forced labor, primarily as herders or domestic workers (see Section 6.d.). During the year, an NGO survey of 500 child herders who had been returned to their parents indicated that there may have been between 1,500 and 2,000 children between 6 and 17 years of age who had been trafficked as child herders. There were also reports of child prostitution, primarily in the southern oil-producing region.

The Penal Code makes trafficking in persons a crime punishable by between 10 months' imprisonment and life-long prison sentences involving hard labor. During the year, the Penal Code was revised to provide for punishments of between 10 and 20 years of forced labor in prison for the trafficking of children. No economic or financial aid was available unless a victim sought damages in court. According to the most recent statistics available, the Ministry of Justice's Child Protection Department and the Juvenile Division of the High Court handled 29 of 100 complaints relating to sexual exploitation of children in 2002. The LTDH also assisted in prosecuting trafficking cases on an individual basis throughout the year.

The Government prosecuted traffickers during the year. Three accused traffickers were sentenced to hard labor for life by an appeals court. By year's end, the case was on appeal and was being heard by the Supreme Court. Another case involving a 10-year-old girl allegedly sold by her parents to herders was ongoing at year's end. In October 2003, several parents, including a village chief, were sentenced to 6 months in prison and fined \$400 (200,000 FCFA) for selling their children as child herders.

The Ministry of Justice's Child Protection Department continued to cooperate with UNICEF and a few NGOs to combat trafficking. During the year, the Government held a seminar with members of the National Assembly to raise awareness of the new law on trafficking, and UNICEF sponsored educational campaigns through the media to advise parents to instruct children about the danger of trusting strangers. The Government, working with UNICEF and NGOs, identified cases of trafficking. During the year, the Ministry of Justice requested funding for its anti-trafficking efforts, but it did not have the financial resources to support NGOs. Victim support was provided at the local level, often through the intervention of local government authorities who transferred victims to religious groups.

The Government focused most of its antitrafficking efforts on prevention, particularly by raising citizens' awareness of trafficking. For example, during the year, the Governor of Moyen Chari, an area that served as the source for the majority of children used

as cattle herders, continued to increase efforts to prosecute those complicit in trafficking, which resulted in an increase in cases being prosecuted. He also worked through the prefets and sous-prefets to recover children who had been trafficked. The Ministry of Social Action and Family, the Ministry of Labor, and UNICEF conducted meetings with village elders in Moyen Chari. An antitrafficking NGO composed of families and a former intermediary arrested for trafficking in October 2003 also participated in the sensitization campaign. During the year, the group raised awareness of the dangers of child trafficking by speaking to villages in a trafficking-prone district.

#### Persons with Disabilities

There was no official discrimination against persons with disabilities; however, the Government operated only a few therapy, education, or employment programs for persons with disabilities, and no laws mandate that buildings be accessible to persons with disabilities. Several local NGOs provided skills training to the hearing-impaired and visually-impaired. During the year, the Government, in conjunction with NGOs, continued to sponsor an annual day of activities to raise awareness of persons with disabilities.

#### National/Racial/Ethnic Minorities

There were approximately 200 ethnic groups, many of which were concentrated regionally and spoke 128 distinct primary languages. Although most ethnic groups were affiliated with one of two regional and cultural traditions--Arab and Saharan/Sahelian-zone Muslims in the north, center, and east; and Sudanian-zone Christian or animist groups in the south--migrations in response to urbanization and desertification resulted in the integration of these groups in some areas of the country.

Societal discrimination continued to be practiced routinely by members of virtually all ethnic groups and was evident in patterns of employment, especially across the north-south divide. The law prohibits state discrimination on the basis of ethnicity, although in practice, ethnicity continued to influence government appointments and political alliances (see Section 3). Political parties and groups generally had readily identifiable regional or ethnic bases.

The rebellion by ethnic Toubous of the MDJT in the northern Tibesti region lost much of its strength during the past 2 years, and at year's end, the Government and the MDJT continued efforts to negotiate an end to the rebellion. Unlike in the previous year, there were no reports of fighting between the MDJT and the Government.

Clashes between herders and sedentary populations and other interethnic violence, often concerning land use, continued to be a serious problem.

In March, 21 persons died and 13 were injured in fighting between herders and local residents in Yomi. Also in March, police were deployed to Chagoua, a suburb of N'Djamena, to halt clashes between the Kim and Ere communities.

In May, interethnic conflict in southern Chari Baguirmi between Moabits and Tidjanias resulted in 9 deaths and 15 persons injured. In June, an interethnic conflict in the region of Mayo-Kebbi erupted between two communities and resulted in 14 deaths and 50 injured persons.

#### Section 6 Worker Rights

##### a. The Right of Association

The Constitution recognizes freedom of association and union membership, and the Government generally respected the right to organize in practice. All employees, except members of the armed forces, were free to join or form unions, but only with the authorization of the Ministry of the Interior.

In the formal sector, more than 90 percent of employees belonged to unions; however, the majority of workers were nonunionized, unpaid subsistence cultivators or herders. The Government, which owned businesses that dominated many sectors of the formal economy, remained the largest employer.

An ordinance that requires prior authorization from the Ministry of the Interior before an association can be formed remained in force; however, there were no reports that the ordinance was used. The ordinance also allows for the immediate administrative dissolution of an association and permitted the authorities to oversee associations' funds.

The Labor Code prohibits antiunion discrimination by employers against unions, and there were no reports of such antiunion discrimination during the year. A High Committee for Work and Social Security is the formal mechanism for addressing complaints, but it was overburdened and underfunded.

##### b. The Right to Organize and Bargain Collectively

The law allows unions to organize and bargain collectively; in practice the Government protect these rights. There were no export processing zones.

There were no restrictions on collective bargaining. The law authorizes the Government to intervene in the bargaining process under certain circumstances.

The Constitution recognizes the right to strike, and workers exercised this right in practice. The right to strike is limited in the public sector by a decree requiring a minimum service to be maintained. The law permits imprisonment with forced labor as punishment for participation in illegal strikes; however, no such punishment was imposed during the year.

#### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, during the year, there continued to be reports of forced labor practices in the formal economy and isolated instances of forced labor by local authorities of both children and adults in the rural sector (see Section 6.d.). There were also reports that prisoners were required to work to pay their back taxes.

The law permits imprisonment with forced labor for participation in illegal strikes only.

#### d. Prohibition of Child Labor and Minimum Age for Employment

The labor law provides that anyone under the age of 18 is a child and prohibits children from undertaking "any work which, by its nature or the circumstances in which it was carried out, was likely to harm the health, safety, or morals of children"; however, in practice, child labor, including forced child labor, was a serious problem. The Government generally lacked the means to ensure enforcement of the law. By year's end, the National Assembly passed amendments to harmonize labor laws with international conventions concerning labor rights.

The Labor Code stipulates that the minimum age for employment in the formal sector is 14 years; however, the Government did not enforce the law in practice. According to a 2000 UNICEF study, 65.5 percent of minors worked, including those performing domestic chores for more than 4 hours per day, those working within the family (herding, microcommerce, etc.), and those who worked for someone outside the family but who were underage. Approximately one out of every five children between the ages of 6 and 18 years of age worked in the urban informal sector. Children worked in agriculture and herding throughout the country. Children were also employed in the commercial sector, particularly in the capital, as street vendors, manual laborers, and helpers in small shops. Young girls worked as domestic servants, mainly in N'Djamena.

By some estimates, abusive and exploitative child labor affected 20 percent of children between the ages of 6 and 18. There were cases in which families sold their children in some southern regions. In some areas, local authorities fined parents caught selling their children into forced labor. In response, some families worked with intermediaries to pass children from families directly to the farm owners.

During the year, there were reports that in the southern part of the country, families contracted out their children to Arab nomadic herders to help care for their animals, and the children often were abused and returned with little financial compensation for their work. There were also credible reports that children were forced into slavery. According to a U.N. news service, during the year, aid workers in the country estimated that families have sold as many as 2,000 children--some as young as 8--into a system of slavery in which they worked as "child cattle herders."

Some children worked as domestic servants in the households of relatives for little compensation. Some young girls were forced into marriages by their families and then forced to work in their husbands' fields or homes and to bear children while they were still too young to do so safely (see Section 5).

The use of child soldiers is prohibited by law, and according to UNICEF protection officers, the use of child soldiers was not widespread (see Section 5).

There were only 30 labor inspectors for the entire country. Approximately 10 to 15 child labor cases reportedly were investigated by the Government each year.

The Government worked with UNICEF to increase public awareness of child labor. During the year, UNICEF organized workshops in regional towns to share information on the dangers of forced child labor and the benefits of education. The training left each town equipped with one individual charged with overseeing the continuing public relations campaign. UNICEF developed a program with government funding to reduce the prevalence of young girls serving as household domestics. In addition, the campaign to educate parents and civil society on the dangers of child labor, particularly for child herders, was ongoing.

#### e. Acceptable Conditions of Work

The Labor Code requires the Government to set minimum wages. The minimum wage at year's end was \$45 (25,480 FCFA) per month. Most wages, including the minimum wage, did not provide a decent standard of living for a worker and family. Nearly all private sector and state-owned firms paid at least the minimum wage, but it was largely ignored in the vast informal sector. During the year, the Government began to pay all employees at least the minimum wage for the first time, and government salaries increased overall by 5 percent. In some parts of the country, there were long delays in the payment of government salaries. Salary arrears remained a problem, although less so than in previous years. Low wages among customs, police, and military officials contributed to almost daily extortion of the civilian population along all major roads (see Section 2.d.).

The law limits most employment to 39 hours per week, with overtime paid for supplementary hours. Agricultural work was limited to 2,400 hours per year, which was an average of 46 hours per week. All workers were entitled to an unbroken period of 48 hours of rest per week; however, in practice these rights rarely were enforced.

The Labor Code mandates occupational health and safety standards and inspectors with the authority to enforce them; however, these standards rarely were respected in practice in the private sector and were nonexistent in the civil service.

Workers had the right to remove themselves from dangerous working conditions; however, in practice they could not leave without jeopardizing their employment.

The Labor Code explicitly protects all workers, including foreign and illegal workers, but the protections provided were not always respected in practice.